

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____

v. : **DATE FILED** _____

**STEPHEN JONES,
LAURA SCARDIGLI**

: **VIOLATIONS:**

: **18 U.S.C. § 922(g)(1) (possession of a
firearm by a convicted felon—1 count)**

:
: **18 U.S.C. § 924(a)(1)(a) (making false
statement in connection with purchase of
firearm—1 count)**

:
: **18 U.S.C. § 2 (aiding and abetting and
willfully causing)**

: **Notice of forfeiture**

: **Notice of additional factors**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about April 7, 2004, in Philadelphia, in the Eastern District of
Pennsylvania, defendant

STEPHEN JONES,

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce a firearm, that is, a black .38 caliber Taurus revolver, Model 850, serial number UG23736.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

At all times material to this indictment:

1. Delia's Gun Shop, 6104 Torresdale Avenue, Philadelphia, Pennsylvania 19135, possessed a federal firearms license ("FFL") and was authorized to deal in firearms under federal laws.

2. FFL holders are licensed, among other things, to sell firearms and ammunition. Various rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, govern the manner in which FFL holders are permitted to sell firearms and ammunition.

3. The rules and regulations governing FFL holders require that a person seeking to purchase a handgun fill out a Firearm Transaction Record, ATF Form 4473. Part of the Form 4473 requires that the prospective purchaser certify that all his or her answers on Form 4473 are true and correct. The Form 4473 contains language warning that "making any false oral or written statement . . . is a crime punishable as a felony."

4. FFL holders are required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder, including the buyer's home address and date of birth.

5. On or about April 7, 2004, in the Eastern District of Pennsylvania,
defendants

**LAURA SCARDIGLI
and
STEPHEN JONES,**

in connection with the acquisition of a black .38 caliber Taurus revolver, Model 850, serial number UG23736, knowingly made and aided and abetted and willfully caused a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the FFL holders' records, in that defendant LAURA SCARDIGLI certified on the Form 4473 that she was the actual buyer of the firearm, when in fact, as she well knew, this statement was false and fictitious.

All in violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

_____ As a result of the violations of Title 18, United States Code, Sections 922(g)(1) and 924(a)(1)(A), set forth in this indictment, the defendants

**STEPHEN JONES
and
LAURA SCARDIGLI**

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), the firearms involved in the commission of these offenses, including, but not limited to:

- (a) the black .38 caliber Taurus revolver, Model 850, serial number UG23736;
and
- (b) the box of Winchester .38 caliber ammunition, containing 50 rounds,
recovered with the firearm described in paragraph (a) above.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18,
United States Code, Section 924(d).

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offenses charged in Counts One and Two of this indictment, defendant **STEPHEN JONES:**

a. Committed the instant offenses subsequent to sustaining at least two felony convictions of a crime of violence, as described in U.S.S.G. § 2K2.1(a)(2); and

b. Committed the instant offenses while under a criminal justice sentence, that is, probation or parole, as defined by U.S.S.G. § 4A1.1(d).

_____ **A TRUE BILL:**

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
UNITED STATES ATTORNEY